



Order Filed on July 12, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

21-02351 BKMFR01
BROCK & SCOTT, PLLC
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Attorneys for Freedom Mortgage Corporation

In Re:

PATRICK A ROOD

Case No: 19-17045-JNP

Hearing Date: July 6, 2021

Judge: JERROLD N.
POSLUSNY, JR

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: July 12, 2021

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant: Freedom Mortgage Corporation
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC
Debtor(s)' Counsel: Thomas G. Egner, Esquire, McDowell Law, PC
Property Involved ("Collateral"): 226 Chestnut Street, Westville, NJ 08093

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 2 months, from April 2021 to May 2021.
☒ The Debtor is overdue for 2 payments at \$1,238.93 per month.
☐ The Debtor is assessed for _____ late charges at \$_____ per month.
☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.
☒ The Debtor currently has \$121.54 being held in suspense.

Total Arrearages Due: \$2,356.32.

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$2,356.32. Payment shall be made no later than June 30, 2021.
☒ Immediate payment shall be made in the amount of \$1,238.93 for the June 2021 monthly mortgage payment. Payment shall be made no later than June 30, 2021.
☒ Beginning on July 1, 2021, regular monthly mortgage payments in the amount of \$1,238.93 shall resume.
☐ The amount of \$_____ shall be capitalized in the debtor(s)' Chapter 13 plan. Debtor(s) shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: Freedom Mortgage / Attn: Cash Processing,
10500 Kincaid Drive, Fishers, IN 46037

☒ Regular monthly payment: Freedom Mortgage / Attn: Cash Processing,
10500 Kincaid Drive, Fishers, IN 46037

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment within thirty (30) days of the date the payments are due, then Applicant may obtain an Order Vacating the Automatic Stay as to the Property by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted to another Chapter, such dismissal or conversion shall render this Order Resolving Applicant's Motion void and relief from the automatic stay will be granted to Applicant.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$850.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.